

REMARKS

Claims 5, 8, 12, and 13 are all the claims pending in the application. By this Amendment, Applicant cancels claims 6, 7, and 14.

The Examiner rejects claims 5 and 7-8 under 35 U.S.C. § 103(a) as being obvious over WO99/17007 to Karlsson (“Karlsson”) in view of U.S. 5,738,184 to Masuda et al. (“Masuda”); claims 12-14 under 35 U.S.C. § 103(a) as being obvious over Karlsson in view of U.S. 6,250,075 to Funakoshi et al. (“Funakoshi”), and further in view of U.S. 4,890,690 to Fischer et al. (“Fischer”); and claim 6 under 35 U.S.C. § 103(a) as being obvious over Karlsson in view of Masuda, and further in view of Fischer. Applicants respectfully traverse these rejections in view of the following remarks.

As a preliminary matter, claims 6, 7, and 14 are canceled, thereby rendering the rejections of these claims moot.

Independent claims 5, 8, and 12 recite (among other things) “*a first cover plate*” and “*a second cover plate*.” The first and the second cover plates are respectively designated with reference characters 17 and 17’, respectively. For example, the two cover plates 17, 17’ defined by claim 5 are depicted in Fig. 8, the two cover plates 17, 17’ defined by claim 8 are depicted in Fig. 7, and the two cover plates 17, 17’ defined by claim 12 are depicted in Fig. 13. At least these features (as claimed), in combination with the other limitations defined by independent claims 5, 8, and 12, are not taught or suggested by the prior art relied upon by the rejection grounds.

The Examiner relies heavily upon the Karlsson reference to teach most of the features of the claimed invention, inclusive of two cover plates. This rejection position is not convincing for the following reasons.

Karlsson's disclosure is straightforward regarding the elements surrounding the catalytic converter element. Namely, as shown in Fig. 1, for example, the catalytic converter element 2, 8 is clamped between a cover plate 18 and the partition wall 10.¹ The embodiment depicted in Fig. 3 (which is heavily relied upon the rejection grounds) is similar in this regard.² For this reason, Applicants respectfully submit that Karlsson altogether fails to teach or suggest two cover plates. The assertions to the contrary are believed to be incorrect, and tenable only by placing a strained interpretation on the reference. Consequently, even if combined in the manner suggested by the Examiner, the prior art would still not meet all of the limitations set forth in independent claims 5, 8, and 12.

For these reasons, Applicant respectfully submit that claims 5, 8, and 12 are patentable, and that claim 13 is patentable by virtue of its dependency.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

¹ Karlsson, p. 5, l. 27-28.

² Karlsson, p. 8, l. 13-15.

AMENDMENT UNDER 37 C.F.R. § 1.116
U.S. Appln. No. 09/985,856 (*Q67030*)

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Ray Heflin Reg. No. 38,577
61 Ray Heflin
Registration No. 41,060

Date: November 26, 2003